

Application No.: 10/014625

Case No.: 56937US002

Remarks

Claims 1 to 22 have been previously cancelled. Claims 23 and 45 have been previously presented. Claims 24 to 44 are currently amended. Claim 46 is new.

§ 103 Rejections

Claims 23-45 stand rejected under 35 USC § 103(a) as being unpatentable over Babu et al. (US 5,112,882) taken in view of either Davison (US 3,970,771) or Hansen et al. (US 5,993,900), and in further view of St. Coeur et al. (US 6,048,610). Applicants respectfully traverse these rejections for the reasons provided below.

Babu et al.

Babu et al. discloses radiation curable polyolefin pressure sensitive adhesives (PSAs) useful in tapes, transfer adhesive films, etc. The *only reference to a primer* is in column 8, lines 50-56; in particular: "useful primers include a triblock copolymer of styrene-ethylene/butylene-styrene grafted with maleic anhydride (Kraton™ G-1901X, Shell Chemical Co.) and a combination of amorphous polypropylene and Kraton™ G-1901X." All other disclosure in Babu et al. *relates to the PSA and not the primer.*

Babu et al. teach a primer comprising a maleated rubber thermoplastic elastomer and a resin. In the present application, the description of the primer begins on page 6, and the description of the resin on page 7, 1st paragraph. This paragraph states that the resin may be a hydrocarbon resin such as REGALREZ 1139, and this resin is described in Table 1 as a "hydrogenated hydrocarbon resin." Table 1 also lists Resin-3 as a "saturated hydrocarbon resin." These two descriptions describe polypropylene.

In the present application, the description of the non-halogenated polyolefin is on page 7, 2nd paragraph to page 8. Polyolefins are described as α -olefins, and examples include 1-propene, 1-butene, 1-pentene, 1-hexene, 1-heptene, 1-octene, etc. This description does not describe polypropylene. Even though polypropylene ends with

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'-ene', it is a saturated hydrocarbon and not an unsaturated α -olefin. The structure of polypropylene is: $[-CH_2CH(CH_3)-]_n$. Thus, the Examiner is incorrect in stating that Babu et al. do "not teach the presence of a suitable "resin" such as a hydrocarbon resin which may be hydrogenated." Rather, Babu et al. do not teach the presence of a non-halogenated polyolefin.

Davison

Davison discloses a primer coat comprising, as described in claim 1:

- a. a selectively hydrogenated block copolymer having two A blocks and a B block,
- b. a first resin compatible with the A blocks, such as an olefinic hydrocarbon resin, and
- c. a second resin which is a halogen-free and carboxylated.

Thus, Davison teaches a primer comprising a rubber thermoplastic elastomer, a polyolefin, and a halogen-free, maleated resin.

Hansen et al.

Hansen et al. discloses a primer comprising:

- a. a hydrogenated elastomeric block copolymer which has been treated with a monomer containing a functional group such as maleic anhydride, and
- b. an end-block compatible aromatic resin.

Thus, Hansen et al. teach a primer comprise a maleated rubber thermoplastic elastomer, and an aromatic resin.

St. Coeur et al.

St. Coeur et al. disclose a primer composition comprising, as described in claim 1:

- a. a maleic anhydride functionalized chlorinated polyolefin,
- b. a maleic funtionalized A-B-A block copolymer, and
- c. a crosslinking agent capable of reacting with the maliec anhydride functional groups in (a) and (b).

Thus, St. Coeur et al. teach a primer comprising a maleated halogenated polyolefin, a maleated rubber thermoplastic elastomer, and a crosslinker.

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The present invention includes a primer having four components: a maleated rubber thermoplastic elastomer, a non-halogenated polyolefin, a resin, and a crosslinker. A comparison of these components versus disclosure of the above four references is provided in the table:

	maleated thermo-plastic elastomer	non-halogenated polyolefin	resin	crosslinker
Babu et al.	yes	no	yes	no
Davison	no (not maleated)	no (no disclosure of non-halogenated)	no (must be maleated)	no
Hansen et al.	yes	no	no (must be aromatic)	no
St. Coeur et al.	yes	no (halogenated and must be maleated)	no	yes

Babu et al. in view of Davison and further in view of St. Coeur et al.

To establish a *prima facie* case of obviousness, the combination of Babu et al., Davison, and St. Coeur et al. must teach or suggest all the claim limitations. They do not. None of these three references teaches that the primer must comprise a non-halogenated polyolefin.

Babu et al. in view of Hansen et al. and further in view of St. Coeur et al.

To establish a *prima facie* case of obviousness, the combination of Babu et al., Hansen et al., and St. Coeur et al. must teach or suggest all the claim limitations. They do not. None of these three references teaches that the primer must comprise a non-halogenated polyolefin.

New Claim 46 and Currently Amended Claims 24-44

Claim 46 is new, and support may be found on page 12, line 10. Claims 24-44 have been amended to depend from new claim 46 instead of claim 23. These claims are believed to be patentable because they depend on new claim 46.

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In view of the above, it is submitted that the application is in condition for allowance. Reconsideration and withdrawal of the rejections are requested and allowance of claims 23-46, as presented above, at an early date is solicited.

Respectfully submitted,

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Date

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